



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



236886

APR 27 2006

REPLY TO THE ATTENTION OF: SE-5J

**VIA FACSMILE (312) 917-1572, (312) 658-0576,
(312) 630-7386, AND U.S. MAIL**

Mr. John Latoza
The Rise Group
120 South LaSalle, Suite 1750
Chicago, Illinois 60603

Mr. Richard Berggreen
GeoSyntec Consultants
55 West Wacker Drive, Suite 1100
Chicago, Illinois 60601

RE: 160 East Illinois, Chicago, Illinois

Dear Mr. Latoza and Mr. Berggreen:

As you may recall, in July 2005, U.S. EPA proposed an Administrative Agreement and Order by Consent (AAOC) for the above-referenced location, which the owner of the property, Orange Blue, LLC declined to enter, ostensibly, because no elevated thorium concentrations were discovered on this property. In the adjacent alley, in the City of Chicago right-of-way, you discovered and removed radioactive thorium from areas which you excavated to support the construction of your new building. From the information you have shared with us and our site verification work however, it appears that the radiological investigation, surveillance, monitoring and disposal work, was consistent with the transmittal memo and Scope of Work dated May 11-12, 2005, revised on May 23, 2005. U. S. EPA provided comments on the scope of work in letters dated June 1 and June 28, 2005.

Specifically, on July 6, 2005, while excavating outside the perimeter of the foundation wall of the 160 East Illinois property, the owner's contractor staff notified U.S. EPA that they had encountered elevated gamma radiation levels in the alley that separates this property from the 161 East Grand Avenue property to the north. On July 7, 2005, U.S. EPA confirmed elevated gamma radiation levels on the south side of the alley, near St. Clair Street, in an area about 10 feet long and about 2 feet wide. Contaminated soil was below concrete under the alley's blacktop and brick granite pavers. Using our portable multi-channel analyzer, Berkley Nucleonics SAM 935 Portable Gamma Spectroscopy (SAM), thorium radionuclides (thorium-232, thallium 208) and a uranium radionuclide (bismuth-214) were identified in-situ at the peak gamma reading spot. Using a two by two sodium iodide probe, the peak gamma reading spot was determined to be 680,000 counts per minute (cpm). The clean-up criterion in the Streeterville area is 17,348 cpm or 7.1 picoCuries per gram (pCi/g), total radium (Ra-226 +Ra-228). Samples collected from this peak gamma location were analyzed by U.S. EPA's National Air and Radiation


Environmental Laboratory (NAREL) and determined to be 360-371 pCi/g, total radium, much above the U.S. EPA soil clean-up criterion of 7.1 pCi/g.

After the thorium-contaminated soil was removed, a verification sample was collected by U.S. EPA. Our verification was composed of five 20-milliliter vials, which showed an average total radium concentration of 1.79 pCi/g.

According to your report dated October 11, 2005, approximately 8 cubic yards (15 tons) of thorium-contaminated soil was excavated and shipped to the Envirocare Facility in Clive, Utah for disposal. Transportation and disposal was handled by Kerr-McGee Chemical, LLC.

If you have any questions regarding this correspondence, please contact me at (312) 886-3601, Larry Jensen at (312) 886-5026, or Eugene Jablonowski at (312) 886-4591. Please direct any legal questions to Mary Fulghum, Associate Regional Counsel, at (312) 886-4683 or Cathleen Martwick, Associate Regional Counsel, at (312) 886-7166.

Sincerely,

A handwritten signature in black ink that reads "Verneta Simon". The signature is fluid and cursive, with the first name "Verneta" written in a larger, more prominent script than the last name "Simon".

Verneta Simon
On-Scene Coordinator

cc: Christina King Loundy
Piper Rudnick Gray Cary US LLP
203 North LaSalle Street, 15th Floor
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30 North LaSalle Street, 25th Floor
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bcc: Mary Fulghum, C-14J
Charles Gebien, SE-5J
Eugene Jablonowski, SMF-4J
Larry Jensen, SMF-4J
Mike Joyce, P-19J
Cathleen Martwick, C-14J
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